

A bill that would bar prosecutors from seeking the death penalty for those convicted of a crime and who have a diagnosed serious mental illness failed in the House Judiciary Committee Thursday.

While this legislation would have impacted future cases, there is a clause that makes sure the law is not retroactive and apply to current inmates on death row.

Daniel Shue, the Twelfth Judicial District attorney for Arkansas, spoke against the legislation. He said although the bill says it would not allow previous cases to be affected by this new law, he is not sure if that would completely be the case.

**Death Penalty Bill CC****:10****“...for me”**

**“Even though it says it’s not retroactive, any defense attorney worth their salt is gonna claim equal protection. ‘Well if it’s good for him and it’s good now, it should be good for me.’”**

More than one legislator had questions on whether this sentencing bill would change matters, considering defense attorneys can already pursue an insanity defense during a trial.

The bill failed by a voice vote, however a roll vote was called. 11 members of the committee voted against the bill, while five members voted for it.